

FEDERAL DEFENDER OFFICE
DISTRICT OF MASSACHUSETTS
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BOSTON, MASSACHUSETTS 02110

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June 30, 2006

Antoinette E.M. Leoney, Esq.
Assistant U.S. Attorney
U.S. Courthouse, Suite 9200
1 Courthouse Way
Boston, MA 02210

Re: U.S. v. Willie Dancy
Criminal No. 04-10387-RGS

Dear Ms. Leoney:

This letter responds to your letter of June 15, 2006, and reiterates a request for some additional materials, pursuant to Local Rule 116.3(A).

1. Regarding paragraph 2 A of your letter dated June 15, 2006 and your reply concerning the existence of any Massachusetts State Police reports regarding the arrest and investigation in this case, I interpret this as the government taking the definitive position that any Massachusetts State Police officer who was involved in the arrest of the defendant and or investigation of this case did not prepare any report(s) submitted to their superiors regarding their activities related to the defendant's case. With regard to any MSP turret tapes, I would appreciate copies if you discover any exist that are related to this case.

2. Regarding paragraph 2 C, if any "911" tapes are discovered concerning civilian reports of gunfire on the night of the defendant's arrest, I would appreciate copies of these materials as well.

3. Regarding paragraph 2 D, defendant requests any trial transcript that the government may have in its possession regarding the case of *Commonwealth v. Kevin Jones*. Defendant makes this request given the government's letter response to predecessor counsel dated January 10, 2006. See attached Exhibit A. In that response, the government provided predecessor counsel with a transcript of the testimony of a witness named Alicia Costa Burton in the motion to suppress evidence hearing of Kevin Jones in Massachusetts Superior Court. It seems clear that the United States Attorney's Office has an interest in reviewing and preserving the testimony of witnesses in the Kevin Jones state

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court matter since it bear directly on defendant's federal matter. With that said, the defendant would like copies of any trial transcripts in the Kevin Jones matter that the government has in its possession.

4. Reports of Examinations and Tests.

Understanding that the government is seeking to have the firearms recovered in this case tested for fingerprints, the defendant would like to be provided with the results as soon as they become available.

5. Defense counsel has received a transcript of the evidentiary motion held in this case from the court reporter and is presently in the process of reviewing it to determine if a further hearing is in order.

Thank you.

Very truly yours,

/s/Oscar Cruz, Jr.
Oscar Cruz, Jr.

Attachment

EXHIBIT

A



U.S. Department of Justice

*United States Attorney
District of Massachusetts*

Main Reception: (617) 748-3100

*United States Courthouse, Suite 9200
1 Courthouse Way
Boston, Massachusetts 02210*

January 10, 2006

Stephen Hrones, Esq.
HRONES & GARRITY
Attorneys At Law
Lewis Wharf - Bay 232
Boston, MA 02110-3927

Re: United States v. Willie Dancy
Criminal No. 04-10387-RGS

Dear Attorney Hrones:

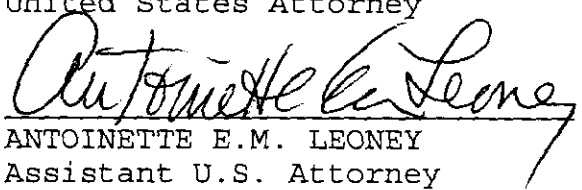
Pursuant to Fed. R. Crim. P. 16 and Rules 116.1(C) and 116.2 of the Local Rules of the United States District Court for the District of Massachusetts, the government provides the following additional discovery in the above-referenced case:

A copy the November 2, 2005 Massachusetts Superior Court transcript of Alicia Costa Burton's suppression hearing testimony in the case of *Commonwealth of Massachusetts v. Kevin Jones*. As you will see from the transcript, Ms. Burton also testified regarding her observations of Defendant Willie Dancy on the evening of December 8, 2004.

Very truly yours,

MICHAEL J. SULLIVAN
United States Attorney

By:


ANTOINETTE E.M. LEONEY
Assistant U.S. Attorney

Enclosure